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February 23, 2007

WRITER'S DIRECT NUMBER: (202) 772-8769 INTERNET ADDRESS: BSKELTON@SKGF.COM

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Art Unit 1614

Attn: Mail Stop Amendment

Re:

U.S. Utility Patent Application

Application No. 10/575,276; Filed: April 11, 2006

For: Synergistic Insecticide Mixtures

Inventors: Andersch et al.

Our Ref: 2400.0270000/VLC/BLS

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement under 37 C.F.R.§ 1.97(b);
- 2. Form PTO/SB/08A (1 sheet);
- 3. Form PTO/SB/08B (1 sheet);
- 4. Copies of thirteen (13) references (documents FP1 FP9 and NPL1 NPL4); and
- 5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com

Commissioner for Patents February 23, 2007 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bryan L. Skelton

Attorney for Applicants Registration No. 50,893

BLS/egw Enclosure(s)

645513v1°

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ANDERSCH et al.

Appl. No.:

10/575,276

§ 371(c) Date: April 11, 2006

For: Synergistic Insecticide Mixtures

Confirmation No.: 8887

Art Unit:

1614

Examiner:

To Be Assigned

Atty. Docket: 2400.0270000/VLC/BLS

Information Disclosure Statement under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents FP1 to FP9 and NPL1 to NPL4 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents US1 to US9 cited on the attached IDS Form PTO/SB/08A, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, FP1, FP2, and FP6, cited on Form PTO/SB/08A.

Document FP1, EP 0 192 060 A1, is in the German language. An English language equivalent of FP1 is listed as document US3.

Document FP2, EP 0 235 725 B1, is in the German language. An English language equivalent of FP2 is listed as document US5.

Document FP6, EP 0 580 553 B1, is in the German language. An English language equivalent of FP6 is listed as document US9.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bryan L. Skelton

Attorney for Applicants Registration No. 50,893

Date: FEBRUARY 23, 2007

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Sheet

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

of

(Use as many sheets as necessary)

| Complete if Known | | | | |
|------------------------|----------------------|--|--|--|
| Application Number | 10/575,276 | | | |
| § 371(c) Date | April 11, 2006 | | | |
| First Named Inventor | ANDERSCH, Wolfram | | | |
| Art Unit | 1614 | | | |
| Examiner Name | To Be Assigned | | | |
| Attorney Docket Number | 2400.0270000/VLC/BLS | | | |

| | | | U.S. PATENT DO | CUMENTS | | |
|-----------|--------------------------|--|------------------|-----------------------------|---|--|
| Examiner | Cite No. ¹ | Document Number | Publication Date | Name of Patentee or | Pages, Columns, Lines, | |
| Initials* | | Number-Kind Code ^{2 (If Known)} | MM-DD-YYYY | Applicant of Cited Document | Where Relevant Passages or Relevant Figures Appear | |
| 7D.S./ | USI | 4,245,432 | 01/20/1981 | Dannelly | | |
| 18 | US2 | 4,272,417 | 06/09/1981 | Barke et al. | | |
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| | | FOREIGN PATENT DOCUMENTS | | | | | | | | |
|-------|---------------|--------------------------|---|--------------------------------|--|----------------|--|--|--|--|
| Exa | niner als* | Cite No.1 | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | | | | |
| | | 1 | Country Code ³ Number ⁴ Kind Code ³ (if known) | | | T ⁶ | | | | |
| | | FP1 | EP 0 192 060 A1 | 08/27/1986 | Nihon Tokushu Noyaku Seizo K.K. | | | | | |
| | | FP2 | EP 0 235 725 B1 | 09/09/1987 | Nihon Bayer Agrochem K.K. | | | | | |
| | | FP3 | EP 0 302 389 B1 | 02/08/1989 | Takeda Chemical Industries, Ltd. | | | | | |
| | | FP4 | EP 0 376 279 B1 | 07/04/1990 | Takeda Chemical Industries, Ltd. | | | | | |
| | | FP5 | WO 91/04965 A1 | 04/18/1991 | Nippon Soda Co., Ltd. | <u> </u> | | | | |
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| /[| Ď.S./ | FP9 | WO 02/080675 A1 | 10/17/2002 | Monsanto Technology, LLC | | | | | |

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| Examiner /Danielle | Sullivan/ | Date Considered | 01/05/2009 |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|--|---|----------------------|-------------------|------------------------|----------------------|--|--|
| | | | | Application Number | 10/575,276 | | |
| INFORMATION DISCLOSURE | | | LOSURE | § 371(c) Date | April 11, 2006 | | |
| STATEMENT BY APPLICANT (Use as many sheets as necessary) | | First Named Inventor | ANDERSCH, Wolfram | | | | |
| | | Art Unit | 1614 | | | | |
| , | ĺ | | • • | Examiner Name | To be assigned | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 2400.0270000/VLC/BLS | | |

| | | NON PATENT LITERATURE DOCUMENTS | · | | | |
|-----------------------|--------------------------|---|---|--|--|--|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of | | | | |
| /D.S./ | NPL1 | Colby, S.R., "Calculating Synergistic and Antagonistic Responses of Herbicide Combinations," <i>Weeds 15</i> :20-22, Weed Society of America (1967) | | | | |
| 90000000000000000 | NPL2 | Esp@cenet database, English language abstract for JP 2003-063911 A2 | | | | |
| | NPL3 | STN Database, Accession No. 2003:166933, English language abstract for JP 2003-063911 A2 | | | | |
| /D.S./ | NPL4 | International Search Report for International Application No. PCT/EP2004/010912, European Patent Office, Netherlands, mailed on February 15, 2005 | | | | |
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| Examiner Signature | /Danielle Sullivan/ | Date Considered | 01/05/2009 |
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